

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Technical and Operational Feasibility of Enabling)	PS Docket No. 06-229
Flexible Use of the 700 MHz Public Safety)	DA 10-1877
Narrowband Allocation and Guard Band for)	
Broadband Services)	

COMMENTS OF THE UTAH COMMUNICATIONS AGENCY NETWORK

The Utah Communications Agency Network (“UCAN”) hereby submits the following comments in response to the Commission’s above-captioned *Public Notice*, released September 29, 2010.

UCAN operates a state-wide radio network providing interoperable radio communications for 140 state and local public safety agencies across the State of Utah. UCAN is a quasi-state agency, governed by a board of directors representative of the user community (12 members elected by local government agencies and 5 state representatives appointed by the governor). The board is responsible for agency direction, vision, rates and budget. UCAN and its partner agencies have invested nearly \$75 million through bonding, federal and state grants and partnerships with agencies who desired to invest cash or physical assets. The system currently supports 19,500 user devices and 31 emergency PSAPs. There are 85 sites supporting 800 MHz operations in Utah.

Currently, 800 MHz is the primary frequency band for UCAN and its user agencies. However, due to limited capacity, UCAN is already planning a substantial expansion into 700 MHz narrowband channels within the next 36 months. Additional channels are needed because of frequency congestion in the expanding urban areas served by UCAN, as well as in rural areas.

The UCAN system has grown at a steady rate, from 11 channels in 2001 to 30 channels in 2010, due to population growth and the migration of local governments from stand-alone public safety systems to the UCAN system. In rural areas, Utah's diverse geography requires that it rely on mountain-top transmitter sites to provide coverage in many areas, which further limits its ability to reuse channels. UCAN's current plan is to deploy a combined 700/800 MHz narrowband system, starting in populated areas that are more likely to have the resources to upgrade to dual-band radio equipment.

The 700 narrowband interoperability channels will enhance the current interoperability scheme we have in use today. Every radio in the system has pre-designated interoperability channels (*i.e.*, Events, Operations, and Regional), which are programmed in every radio in the same bank (position) to facilitate communications in emergency situations. These channels are pre-assigned based on county designation. The ability to add additional narrowband channels as we expand will facilitate the expansion of service to rural areas.

UCAN also anticipates a need for a broadband system, but is waiting to see what steps Congress, the FCC and others will take to facilitate the funding, deployment, and necessary spectrum for such a system.

UCAN is concerned that flexible use of the 700 narrowband channels as suggested in the *Public Notice* could be a nightmare to administer, limit spectrum availability, and impose unacceptable risks of interference. A single agency choosing broadband over narrowband could destroy the ability of other agencies to deploy narrowband operations in the same band. Use of the narrowband interoperability channels would also be compromised. Who would be the "traffic cop" to manage dual-use spectrum, resolve disputes, and address interference problems? As bad as this problem may be in Utah, it could be far worse in other areas of the country that do

not have well-established state-wide radio networks and/or are surrounded by other users of the same band.

To the extent that broadband flexibility is permitted, UCAN believes that decisions need to be made cooperatively in state and local government venues, with ongoing roles for regional planning committees and the state interoperability executive committees (SIEC's). However, there must be clear lines of authority for the use of this spectrum and a clear path of responsibility.

Overall we believe that consideration of flexible use of 700 MHz narrowband spectrum is premature. It would be better to wait and see what the potential 700 MHz band landscape becomes as systems are deployed across the nation. At some point it may be appropriate to deploy a test case (assuming that the technology is available). However, to change directions from the current plan anytime soon is short-sided and potentially dangerous.

CONCLUSION

UCAN, like many other large public safety systems, is planning critical narrowband deployments in the 700 MHz band, and urges the Commission to refrain from taking any action that would interfere with, or unduly complicate, that deployment. Licensees should not be given the flexibility to use narrowband spectrum for broadband, at least not in the foreseeable future.

Respectfully submitted,

/s/

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